



10-19-06

PCT \$

LAP13 Rec'd PCT/PTO 17 OCT 2006

PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number	10/561,144-Conf. #9423
Filing Date	December 16, 2005
First Named Inventor	Ichirou Shimomura
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	64656 (46590)

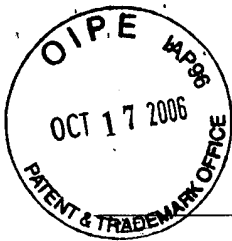
ENCLOSURES (Check all that apply)☒ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☒ Response to Notification of Missing Requirements under 35 USC 371, including duplicate copy☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

Part 2 Copy of Notice (2 pages); Declaration and Power of Attorney (4 pages); Certificate of Express Mailing (1 page); Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	EDWARDS ANGELL PALMER & DODGE LLP		
Signature	梅室 淳		
Printed name	Jun Umemuro		
Date	October 17, 2006	Reg. No.	L0247



Docket No.: 64656 (46590)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Iichirou Shimomura et al.

Application No.: 10/561,144

Confirmation No.: 9423

Filed: December 16, 2005

Art Unit: N/A

For: NOVEL PROTEIN

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/26/2006 ATRAN1 00000130 041105 10561144

01 FC:1615 1350.00 DA
02 FC:1616 360.00 DA

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date
Granted mailed September 1, 2006, Applicant respectfully submits a Declaration and
Power of Attorney and Part 2 Copy of Notice.

Please charge our Deposit Account No. 04-1105 in the amount of \$1,710.00
covering the fees set forth in 37 CFR 1.16(i) and 1.16(j). The Director is hereby authorized
to charge any deficiency in the fees filed, asserted to be filed or which should have been
filed herewith (or with any paper hereafter filed in this application by this firm) to our
Deposit Account No. 04-1105, under Order No. 64656 (46590). A duplicate copy of this
paper is enclosed.

Dated: October 17, 2006

Respectfully submitted,

EDWARDS ANGELL PALMER &
DODGE LLP
P.O. Box 55874
Boston, Massachusetts 02205

By 梅室 淳
Jun Umemuro - L0247
Limited Recognition Under 37 C.F.R. § 11.9(b)
Attorneys/Agents For Applicant
(617) 439-4444



Application No. (if known): 10/561,144


Attorney Docket No.: 64656 (46590)

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV756030807US in an envelope addressed to:

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on October 17, 2006
Date


Signature

Lakeisha Bryant

Typed or printed name of person signing Certificate

Registration Number, if applicable

(617) 439-4444
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Form (1 page);
Fee Transmittal (1 page);
Response to Notification of Missing Requirements under 35 U.S.C. 371 (1 page),
including duplicate copy;
Declaration and Power of Attorney (4 pages);
Part 2 Copy of Notice (2 pages);
Charge \$1,710.00 to deposit account 04-1105;
Return Receipt Postcard.



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,710.00

Complete if Known

Application Number	10/561,144-Conf. #9423
Filing Date	December 16, 2005
First Named Inventor	Ichirou Shimomura
Examiner Name	Not Yet Assigned
Art Unit	N/A
Attorney Docket No.	64656 (46590)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 04-1105 Deposit Account Name: Edwards Angell Palmer & Dodge LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims: 47 - 20 = 27 x 50.00 = 1,350.00

HP = highest number of total claims paid for, if greater than 20.

Multiple Dependent Claims
Fee (\$): 360.00
Fee Paid (\$): 360.00

Indep. Claims: - 3 = x =

HP = highest number of independent claims paid for, if greater than 3.

360.00 360.00

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets: - 100 = /50 Number of each additional 50 or fraction thereof: (round up to a whole number) x Fee (\$): Fee Paid (\$):

4. OTHER FEE(S)

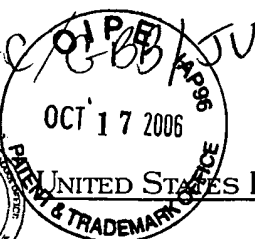
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

Fees Paid (\$)

SUBMITTED BY

Signature	梅室 淳	Registration No. (Attorney/Agent)	L0247	Telephone	(617) 439-4444
Name (Print/Type)	Jun Umemuro	Date	October 11, 2006		



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,144	Lichirou Shimomura	64656 (46590)

INTERNATIONAL APPLICATION NO.

PCT/JP04/08699

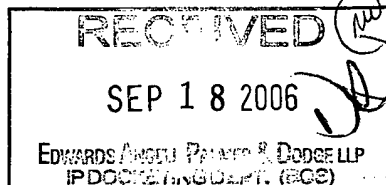
I.A. FILING DATE

PRIORITY DATE

06/15/2004

06/16/2003

21874
EDWARDS & ANGELL, LLP
P.O. BOX 55874
BOSTON, MA 02205



CONFIRMATION NO. 9423

371 FORMALITIES LETTER



OC000000020268146

Date Mailed: 09/01/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/16/2005
- Copy of the International Search Report filed on 12/16/2005
- Copy of IPE Report filed on 12/16/2005
- Copy of Annexes to the IPER filed on 12/16/2005
- Preliminary Amendments filed on 12/16/2005
- Information Disclosure Statements filed on 12/16/2005
- Biochemical Sequence Diskette filed on 12/16/2005
- Biochemical Sequence Listing filed on 12/16/2005
- Request for Immediate Examination filed on 12/16/2005
- U.S. Basic National Fees filed on 12/16/2005
- Priority Documents filed on 12/16/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1710 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

**SEE
OTHER SIDE**

Total additional fees required for this application is **\$1710** for a Large Entity:

Additionally the following defects have been observed:

- Annexes have not been entered because No English Translation submitted.
- Total additional claim fee(s) for this application is \$ **1710**
 - \$1350 for 27 total claims over 20.
 - \$360 for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,144	PCT/JP04/08699	64656 (46590)